# IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

In re:

Chapter 7

AKORN HOLDING COMPANY LLC, et al., 1

Case No. 23-10253 (KBO)

Debtors.

(Jointly Administered)

GEORGE MILLER, Chapter 7 Trustee of the bankruptcy estates of Akorn Holding Company LLC, *et al.*,

Plaintiff,

v.

Adv. Proc. No. 24-50043 (KBO)

CENCORA, INC. f/k/a AMERISOURCEBERGEN DRUG CORPORATION, MWI VETERINARY SUPPLY CO.,

Defendants.

Related Adv. D.I.: 1, 43

# CERTIFICATION OF COUNSEL REGARDING FURTHER EXTENSION OF TIME FOR DEFENDANTS TO ANSWER, MOVE, OR OTHERWISE RESPOND TO COMPLAINT

The undersigned counsel to the above-captioned plaintiff ("<u>Plaintiff</u>") and defendants ("Defendants", and together with Plaintiff, the "Parties") hereby certify as follows:

1. On April 15, 2024, Plaintiff commenced the above-captioned adversary proceeding by filing the Complaint for (I) Payment of Goods Sold and Delivered, (II) Breach of Contract, (III)

The Debtors in these Chapter 7 Cases, along with the last four digits of each Debtor's federal tax identification number, are: Akorn Holding Company LLC (9190); Akorn Intermediate Company LLC (6123) and Akorn Operating Company LLC (6184). The Debtors' headquarters was located at 5605 CenterPoint Court, Gurnee, Illinois 60031.

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Account Stated, (IV) Unjust Enrichment (In the Alternative), (V) Turnover of Accounts Receivable,

and (VI) Disallowance of Claims [Adv. D.I. 1] (the "Complaint").

2. On April 17, 2024, Plaintiff served the Complaint, together with the Summons filed

on April 17, 2024 [Adv. D.I. 8], on Defendants.

3. Pursuant to the *Amended Scheduling Order* [Adv. D.I. 43], Defendants' deadline to

respond to the Complaint was on or before October 18, 2024 (the "Response Deadline").

4. The Parties have agreed to further extend the Response Deadline through and

including November 1, 2024. Pursuant to Rule 7012-2 of the Local Rules of Bankruptcy Practice

and Procedure of the United States Bankruptcy Court for the District of Delaware, the Parties

respectfully request that the Court enter an order, substantially in the form attached hereto as

**Exhibit A** (the "Proposed Order"), extending the Response Deadline.

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WHEREFORE, the Parties respectfully request that the Court enter the Proposed Order at

its earliest convenience.

Dated: October 21, 2024

#### **SAUL EWING LLP**

### /s/ Evan T. Miller

Evan T. Miller (DE Bar No. 5364) Paige N. Topper (DE Bar No. 6470) 1201 N. Market Street, Suite 2300 Wilmington, DE 19801 Telephone: (302) 421-6800 evan.miller@saul.com paige.topper@saul.com

#### and

Michelle G. Novick (admitted *pro hac vice*) 161 North Clark Street, Suite 4200 Chicago, IL 60601 Telephone: (312) 876-7899 michelle.novick@saul.com

#### and

Turner N. Falk (admitted *pro hac vice*) 1500 Market Street, 38th Floor Philadelphia, PA 19102 Telephone: (215) 972-8415 turner.falk@saul.com

Counsel to Plaintiff

## KLEHR HARRISON HARVEY BRANZBURG LLP

#### /s/ Michael W. Yurkewicz

Michael W. Yurkewicz (DE Bar No. 4165) Alyssa Radovanovich (DE Bar No. 7101) 919 N. Market Street, Suite 1000 Wilmington, Delaware 19801 Telephone: (302) 426-1189 Facsimile (302) 426-9193 myurkewicz@klehr.com aradovanovich@klehr.com

#### and

Morton R. Branzburg (admitted *pro hac vice*)
Ryan M. Moore (admitted *pro hac vice*)
1835 Market Street, 14<sup>th</sup> Floor
Philadelphia, PA 19103
Telephone: (215) 569-2700
Facsimile: (215) 568-6603
mbranzburg@klehr.com
rmoore@klehr.com

Counsel to Defendants